



US Army Corps  
of Engineers  
Seattle District

# Public Notice of Application for Permit

Regulatory Branch  
Post Office Box 3755  
Seattle, Washington 98124-3755  
Telephone (206) 764-3495  
ATTN: Jim Green, Project Manager

Public Notice Date: July 20, 2006  
Expiration Date: August 18, 2006  
Reference: 200600727  
Name: Dunavant, Don

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Interested parties are hereby notified that an application has been received for a Department of the Army permit in accordance with Section 10 of the Rivers and Harbors Act of 1899, for certain work described below and shown on the enclosed drawings.

APPLICANT: Mr. Don Dunavant  
300 East 54<sup>th</sup> Avenue  
Anchorage, Alaska 99518-1230  
Telephone: (907) 563-5000

AGENT: Mr. Wendell Stroud  
1208 East "D" Street  
Tacoma, Washington 98421  
Telephone: (253) 383-2740

LOCATION: In Port Madison, Puget Sound at Bainbridge Island, Washington.

WORK: Construct pier, ramp, and float and drive two mooring piles.

PURPOSE: To provide recreational use including fishing, swimming and boat moorage.

MITIGATION: The proposed project includes several conservation measures including an inwater work window of July 16 to October 14 to protect Chinook salmon, bull trout, sand lance, and pacific herring; installation of 50 percent functional grating in the pier and float, and 100 percent grating in the ramp.

ENDANGERED SPECIES: The Endangered Species Act (ESA) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat. The Puget Sound Chinook salmon (*Oncorhynchus tshawytscha*), Coastal-Puget Sound bull trout (*Salvelinus confluentus*), Steller sea lion (*Eumetopias jubatus*), the Bald eagle (*Haliaeetus leucocephalus*), and the Marbled murrelet (*Brachyramphus marmoratus*), all listed as threatened in the state of Washington, occur in the proposed project area. Puget Sound/Georgia Strait coho (*Oncorhynchus kisutch*), a candidate species, and Puget Sound steelhead (*Oncorhynchus mykiss*), proposed threatened, also occur in the project area. For Puget Sound chinook salmon, critical habitat has been designated. Informal consultation under Section 7 of the ESA has been completed with the NMFS and the USFWS.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed action would impact approximately 0.10 of an acre of EFH for Pacific salmon, Groundfish, and Coastal Pelagic Species in the project area. The U.S. Army Corps of Engineers (Corps) has determined that the proposed action will adversely affect designated EFH for federally managed fisheries in Washington waters. The Corps has completed EFH consultation with the National marine Fisheries Service.

CULTURAL RESOURCES: The District Engineer has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. Known historic properties occur in the vicinity of the proposed project. However, the proposed work is of such a limited nature and extent that little likelihood exists for the proposed project to impinge upon an undisturbed historic property. The District Engineer invites responses to this public notice from Native American Nations or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns with historic properties in the area. This public notice initiates consultation under Section 106 of the National Historic Preservation Act (36 CFR 800.4[a][3]), with any Tribe that has information or concerns with historic properties in the proposed permit area.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The U.S. Army Corps of Engineers is soliciting comments from the public; Native American Nations or tribal governments; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

ADDITIONAL EVALUATION: The State of Washington is reviewing this work for consistency with the approved Washington Coastal Zone Management Program.

This proposal is the subject of a Shorelines Substantial Development Permit being processed by the City of Bainbridge Island.

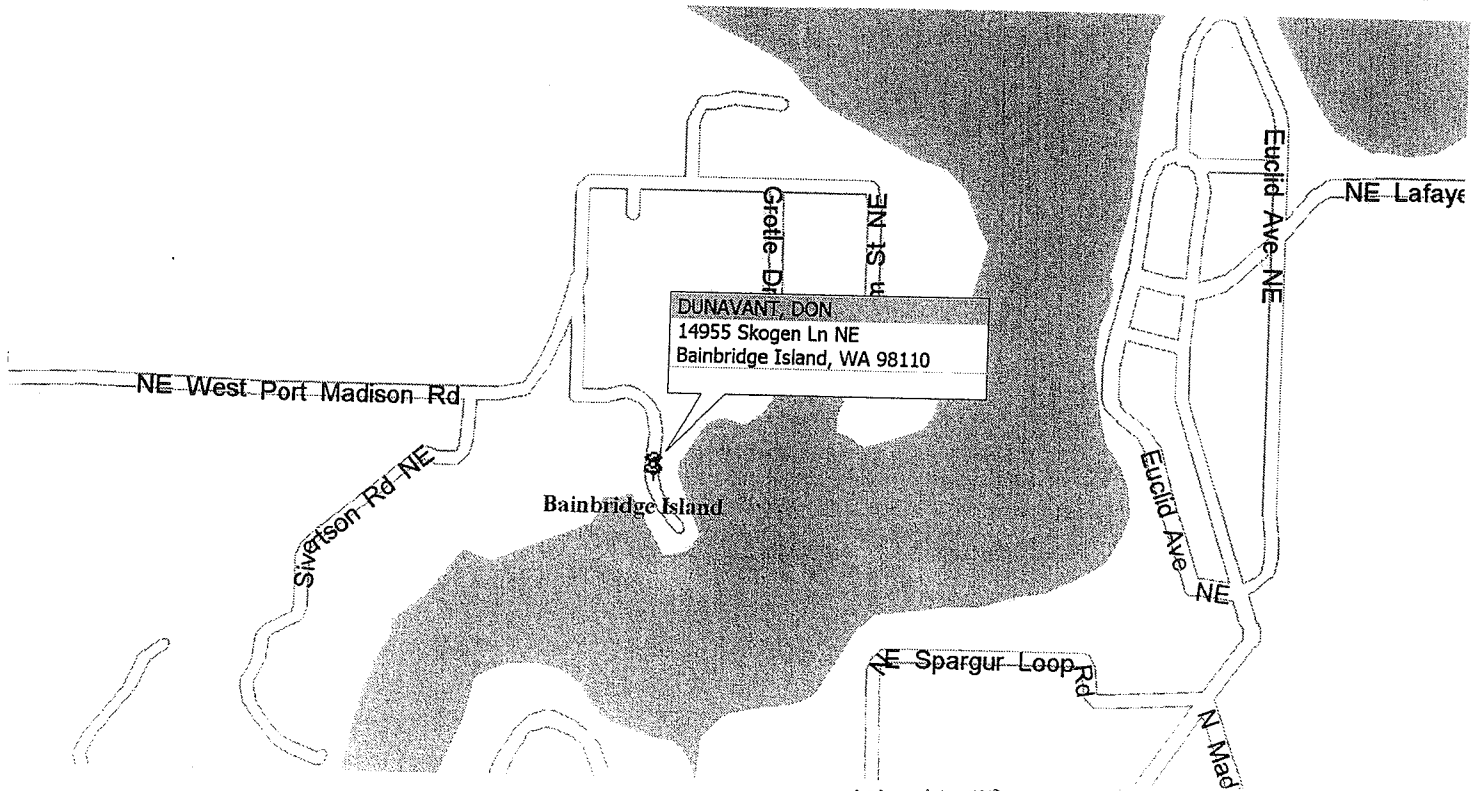
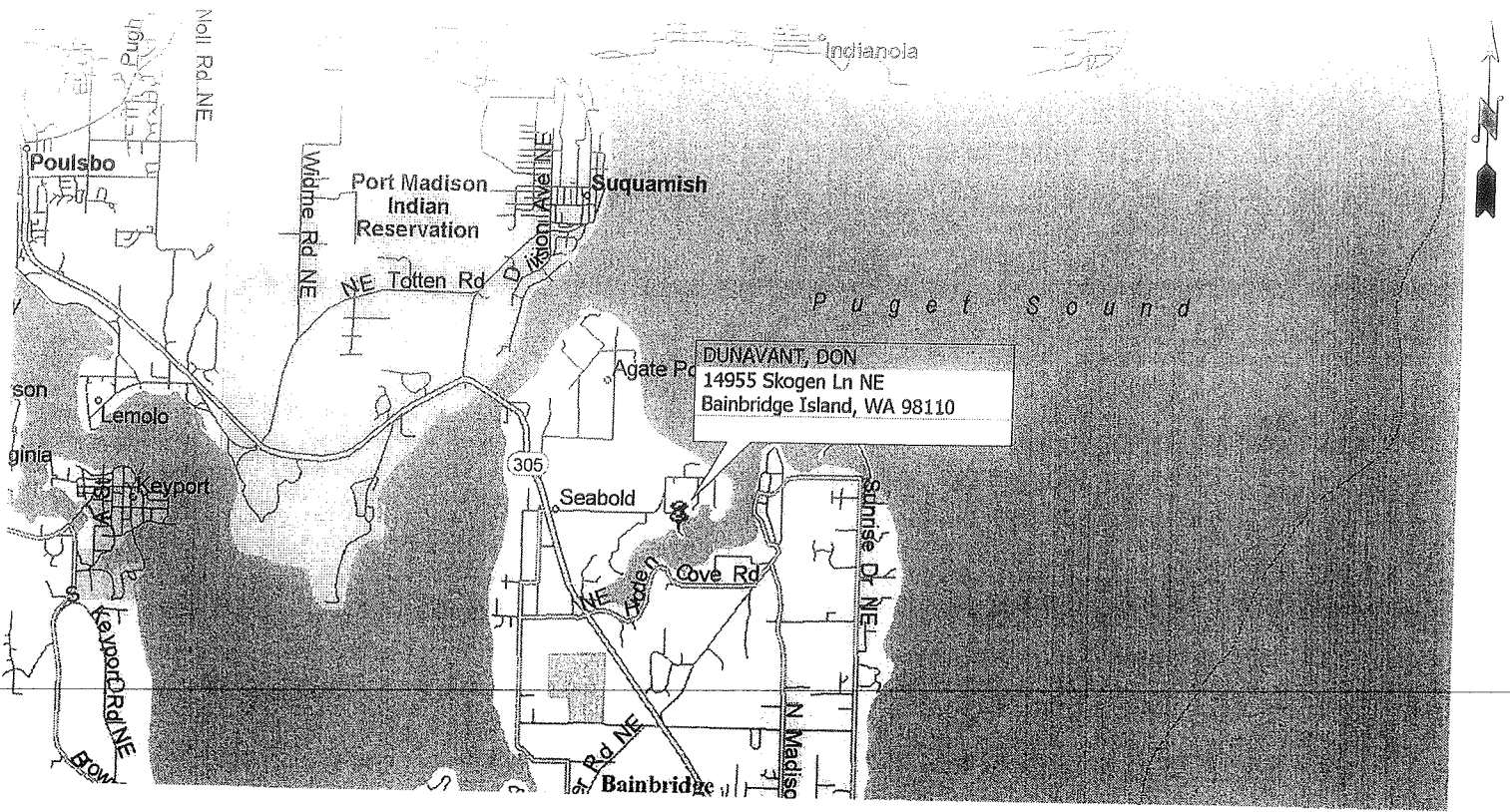
200600727

COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown below. All e-mail comments should be sent to James.D.Green@usace.army.mil. Conventional mail comments should be sent U.S. Army Corps of Engineers, Regulatory Branch, Post Office Box 3755, Seattle, Washington 98124-3755. Both conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commentor's name, address, and phone number. All comments whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration. Please include the following name and reference number:

Don Dunavant, 200600727

Encl

Drawings (4)



Scale: NTS

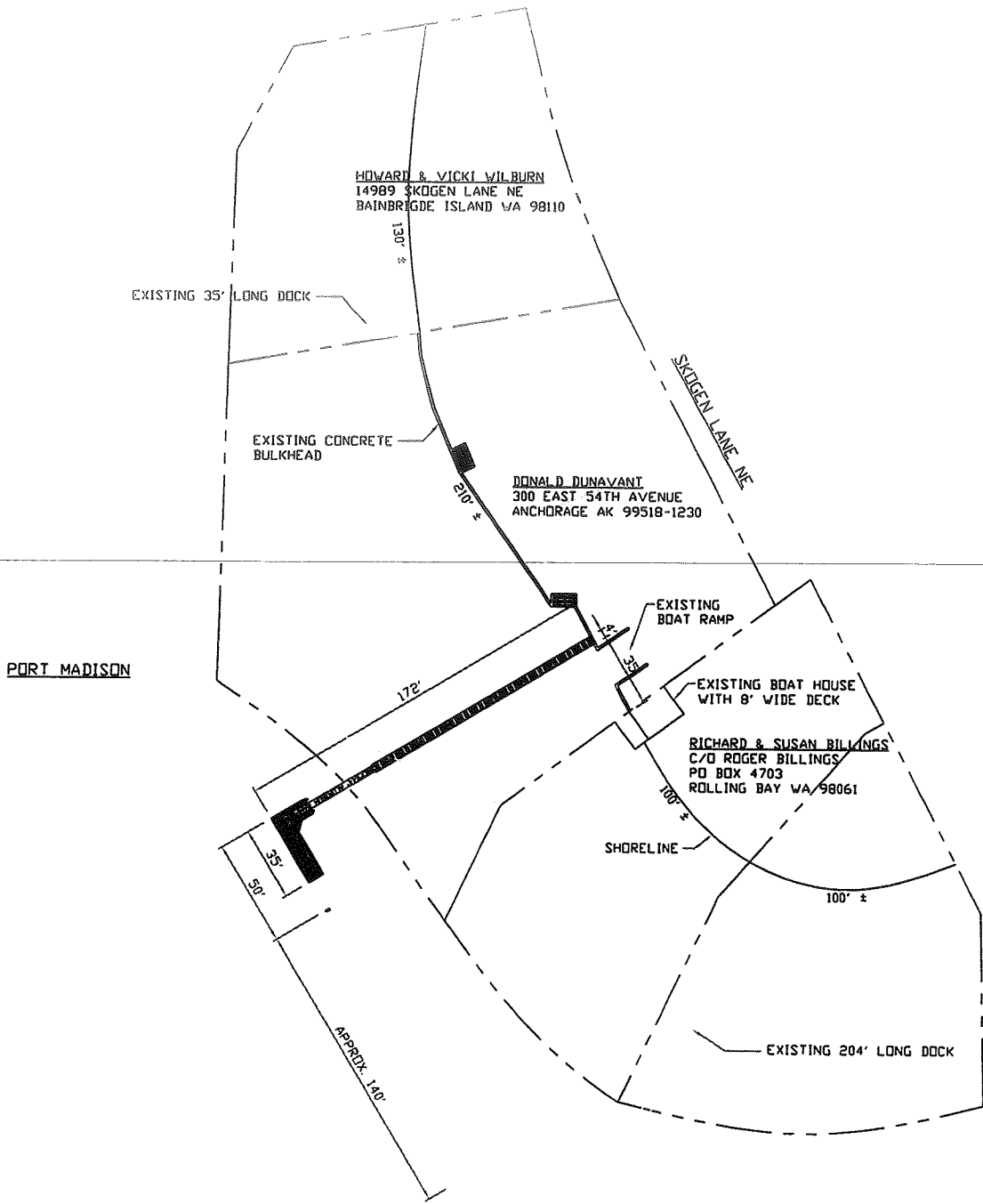
Sec SE35 T21N R1E

Lat/Long 47.70 N / 122.54 W

Corps Reference # 200500733

200600727

Purpose: Private use recreational dock and Boat Moorage Datum: UTM	MARINE FLOATS Tacoma WA (253) 383-2740	Proposed: To construct a 4x119' pier, a 3x44' ramp and an 8x35' float at a "ell" with (18) steel piling. <i>2 in covering</i>
Adjacent Property Owners: 1 Richard Billings - c/o Roger Billings PO Box 4793 Rolling Bay WA 98061 2 Howard and Vicki Wilburn 14939 Skogen Lane NE Bainbridge Island WA 98110	Job Name: Dunavant Dock Job Add: 14955 Skogen Lane NE Bainbridge Island WA 98110 Mail A In: 321 East 54th Avenue Anchorage AK 99515	In: Port Madison At: Puget Sound County: Kitsap State: WA Appl by: Donald Dunavant Date: 6/5/06 <i>Revised</i> Page 1 of 4



SITE PLAN AND ADJACENT STRUCTURES

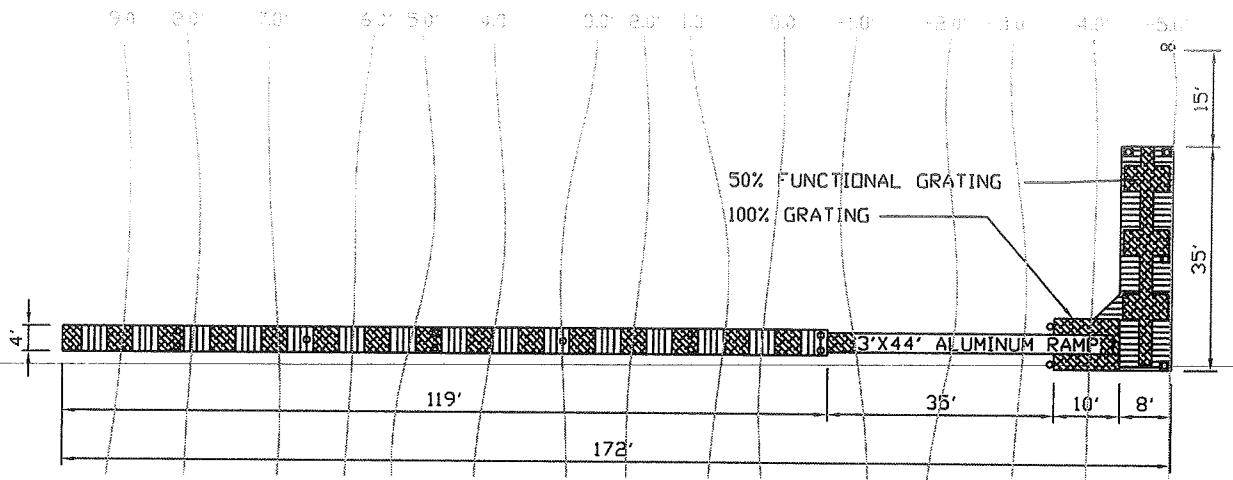
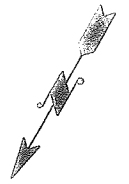
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Sec SE35 T 21N R 1E

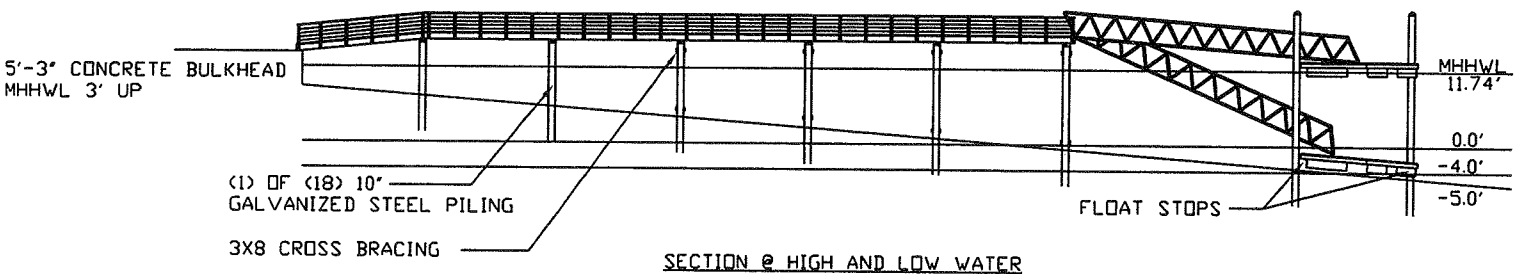
Lat/Long 47.70 N / 122.54 W

Corps Reference # ~~200500738~~ **200600727**

Purpose: Private use recreational dock and Boat Moorage Datum: 0.0	MARINE FLOATS Tacoma WA (253) 383-2740	Proposed: To construct a 4x119' pier, a 3x44' ramp and an 8x35' float at a "ell" with (18) "Chemonite treated" piling. <i>2 mooring piles</i>
Adjacent Property Owners: 1) Richard Billings - c/o Roger Billings PO Box 4703 Rolling Bay WA 98061 2) Howard and Vicki Wilburn 14953 Skogen Lane NE Bainbridge Island WA 98110	Job Name: Dunavant Dock Job Add: 14953 Skogen Lane NE Bainbridge Island WA 98110 Mail Add: 300 East 54th Avenue Anchorage AK 99518	In: Port Madison At: Puget Sound County: Kitsap State WA App'l by: Donald Dunavant Date: 6/3/06 <del>Revised</del> Page 2 of 4



PLAN VIEW



SECTION @ HIGH AND LOW WATER

Scale: 1"=30'

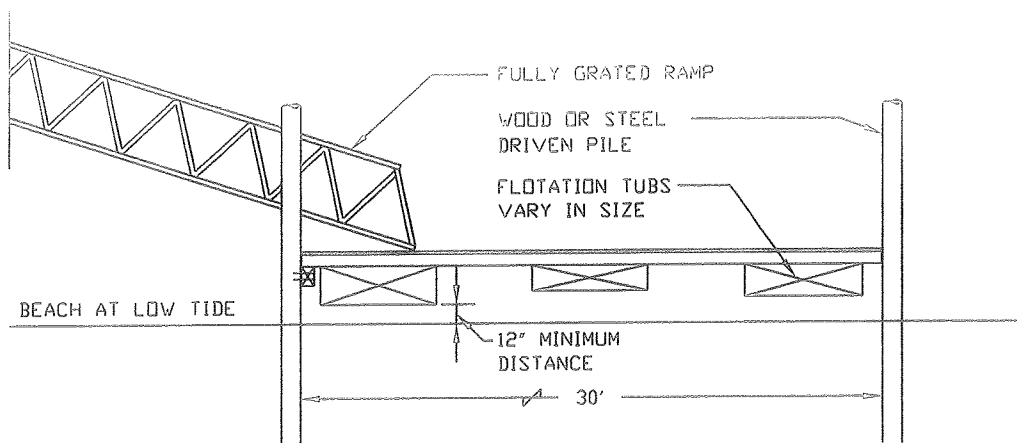
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Lat/Long 47.70 N / 122.54 W

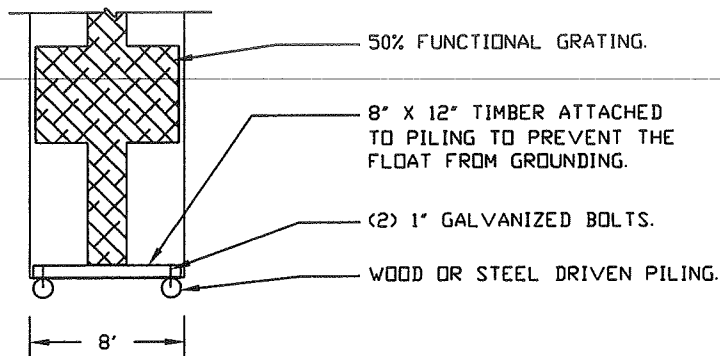
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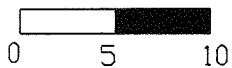
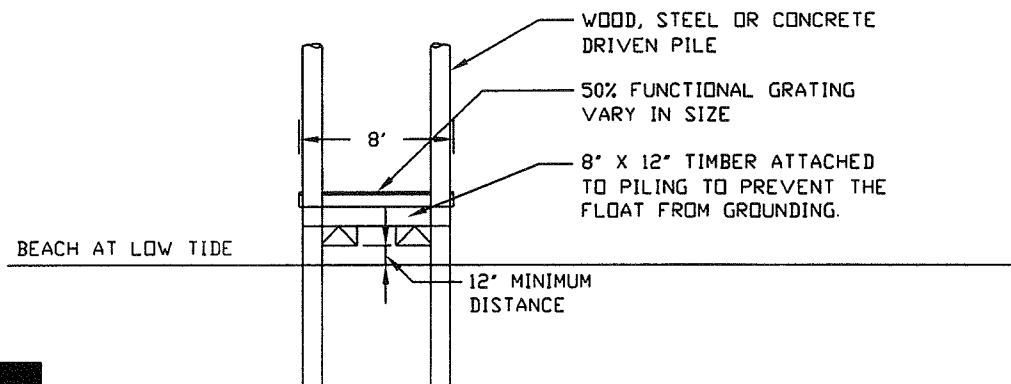
Purpose: Private use recreational dock and Boat Moorage Datum: 0.0	MARINE FLOATS Tacoma WA (253) 383-2740	Proposed: To construct a 4'x119' pier, a 3'x44' ramp and an 8'x35' float at a "ell" with (18) steel piling. <i>200600732</i>
Adjacent Property Owners: (1) Richard Billings - c/o Roger Billings PO Box 4703 Reiling Bay WA 98061 (2) Howard and Vicki Wilburn 14959 Skogen Lane NE Bainbridge Island WA 98110	Job Name: Dunavant Dock Job Add: 14955 Skogen Lane NE Bainbridge Island WA 98110 Mail Add: 350 East 54th Avenue Anchorage AK 99518	In: Port Madison At: Puget Sound County: Kitsap State: WA Appl by: Donald Dunavant Date: 8/5/06 <i>Revised</i> Page 3 of 4



TYPICAL ELEVATION VIEW



TYPICAL PLAN VIEW



SCALE: 1"=10'

TYPICAL END VIEW OF FLOAT STOP

Scale: 1"=10'

Sec SE35 T 21N R 1E

Lat/Long 47.70 N / 122.54 W

Corps Reference # **200600727**

Purpose: Private use recreational dock and Boat Moorage Datum: 0.0	MARINE FLOATS Tacoma WA (253) 383-2740	Proposed: To construct a 4x119' pier, a 3x44' ramp and an 8x35' float at a "ell" with (18) steel piling. <i># 2 mooring piles</i>
Adjacent Property Owners: 1 Richard Billings - c/o Roger Billings PO Box 4703 Rolling Bay WA 98061 2 Howard and Vicki Wilburn 14955 Skogen Lane NE Bainbridge Island WA 98110	Job Name: Dunavant Dock Job Add: 14955 Skogen Lane NE Bainbridge Island WA 98110 Mail Add: 300 East 54th Avenue Anchorage AK 99518	In: Port Madison At: Puget Sound County: Kitsap State: WA Appl by: Donald Dunavant Date: 6/3/06 <del>Rev 001</del> Page 4 of 4



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY  
*P.O. Box 47600 • Olympia, Washington 98504-7600*  
*(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006*

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

Notice of Application for  
Water Quality Certification

Date: July 20, 2006

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 401 of the federal Clean Water Act of 1977 (PL 95-217), to certify that the project described in the U.S. Army Corps of Engineers Public Notice No. 200600727 will comply with the Sections 301, 302, 303, 306, and 307 of the Act, and with applicable provisions of State and Federal water pollution control laws.

Any person desiring to present views on the project pertaining to compliance with water pollution control laws may do so by providing written comments within 30 days of the above publication date to:

Federal Permit Coordinator  
Department of Ecology  
SEA Program  
Post Office Box 47600  
Olympia, Washington 98504-7600